

SUPPORT FOR THE AMENDMENTS

Claims 1-12 are amended to use wording and structure consistent with U.S. patent law practice.

Claim 13 is new and is supported by original Claim 7.

No new matter will be added to this application by entry of this amendment.

Upon entry of this amendment, Claims 1-13 are active. Claims 9-12 are withdrawn.

RESTRICTION RESPONSE

In response to the Restriction Requirement dated September 13, 2007, Applicants elect, with traverse, Group I, Claims 1-8 and 13, for examination.

REMARKS/ARGUMENTS

The claims have been divided into Groups as follows:

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| Group I: | Claim(s) 1-8, drawn to a process for preparing (2-oxo-1,3-dioxolan-4-yl) methyl methacrylate. |
| Group II: | Claim(s) 9, drawn to use of (2-oxo-1,3-dioxolan-4-yl) methyl methacrylate as a crosslinker in adhesives and coating materials. |
| Group III: | Claim(s) 10, drawn to use of (2-oxo-1,3-dioxolan-4-yl) methyl methacrylate as a battery electrolyte. |
| Group IV: | Claim(s) 11, drawn to use of (2-oxo-1,3-dioxolan-4-yl) methyl methacrylate in extrusion resins. |
| Group V: | Claim(s) 12, drawn to use of (2-oxo-1,3-dioxolan-4-yl) methyl methacrylate for metal extraction. |

Applicants elect, with traverse, Group I, Claims 1-8 and 13, for examination. Applicants respectfully note that Claim 13 is supported by Claim 7 and is added due to amendment of Claim 7.

Applicants respectfully traverse the Restriction Requirement on the grounds that no adequate reasons and/or examples have been provided to support a conclusion of patentable distinctness between the identified groups.

Restriction is only proper if the claims of the restricted groups are independent or patentably distinct and there would be a serious burden placed on the Examiner if restriction is not required (MPEP §803). Moreover, when citing lack of unity of invention, in a national stage application, the Examiner has the burden of explaining why each group lacks unity with each other (MPEP §1893.03(d)), i.e. why there is no single general inventive concept. The presence of no single inventive concept must be specifically described.

The Examiner has indicated that the application contains a group of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1, because under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

“the technical feature linking the inventions together is the (2-oxo-1,3-dioxolan-4-yl)methyl methacrylate. The said methacrylate fails to meet the requirements of special technical feature as it has been disclosed in prior art . . .”

Annex B of the Administrative Instructions under the PCT at (b) Technical Relationship states:

“The expression “special technical features” is defined in Rule 13.2 as meaning those technical features that defines a contribution which each of the inventions, considered as a whole, makes over the prior art. The determination is made on the **contents of the claims as interpreted in light of the description** and drawings (if any).” (Bold added)

Applicants respectfully submit that the Examiner has not provided any indication that the contents of the claims interpreted in light of the description was considered in making the

assertion of a lack of unity and therefore has not met the burden necessary to support the assertion.

Moreover, Applicants respectfully refer to Annex B of the Administrative Instructions Under the PCT, paragraph (c), which states in part, "Unity of invention has to be considered in the first place only in relation to the independent claims in an international application and not the dependent claims." Claims 2-13 all depend directly or indirectly from Claim 1 in this application.

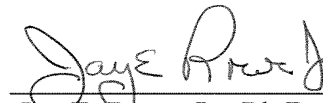
Applicants submit that the Examiner has not carried the burden of providing reasons or examples specifically supporting a conclusion that the groups lack unity of invention nor has the dependency of claims 2-13 from claim 1 been considered under the guidelines of Annex B of the Administrative Instructions of the PCT. For these reasons, Applicants submit that the Requirement for Restriction should be withdrawn.

Applicants request that if the invention of Group I is allowed, non-elected claims which depend from the allowed claims be rejoined (MPEP §821.04).

Applicants submit that the above identified application is now in condition for examination on the merits, and early notice thereof is earnestly solicited.

Respectfully submitted,

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